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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

**Jurgen Schulz-Harder et al**

Group Art Unit: 2835

Serial No: 10/561,433

Examiner: Courtney Smith

Filed : December 19, 2005

For : **DEVICE WITH A HEAT SOURCE FORMED BY  
A FUNCTION ELEMENT THAT IS TO BE COOLED,  
AT LEAST ONE HEAT SINK, AND AT LEAST  
ONE INTERMEDIATE LAYER LOCATED BETWEEN  
THE HEAT SOURCE AND THE HEAT SINK**

**RESPONSE TO OFFICE ACTION OF FEBRUARY 1, 2008**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action of February 1, 2008, Applicant points out, as discussed in our telephone conversation of April 10, 2008, that the sole basis of the rejection of claims 1-27, 29-34, 36-44, 46, 47 and 49-58 is not valid.

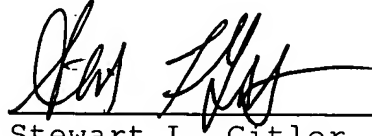
Matabayas has a priority date of September 24, 2003, which post-dates Applicant's prior date of June 17, 2003 (DE 103 27 530.4). Therefore, the sole document cited is not prior art.

Reconsideration of the refusal and timely allowance of all claims on file is requested.

Further, regarding the certified copy of the priority document, the application was filed under 35 U.S.C. 371 and the priority document was provided by WIPO (see attached Form PCT/1B/304).

If any questions remain, please feel free to contact the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Stewart L. Gitler", written over a horizontal line.

Stewart L. Gitler  
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Date: 4-18-08

Attorney Docket No: A-9800.ROA/cat